

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION**

CHARLES LOUIS,

Plaintiff,

v.

STEVE UPTON, Warden; LISA J.
BOSEMAN, Medical Director;
Ms. HOLLOWAY, Medical Escort
Supervisor; VICKI FLEMING;
TRELLIS DOTSON; DICKIE PENN;
and JOHN PAUL, Deputy Warden,

Defendants.

CIVIL ACTION NO.: CV610-060

ORDER


After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Reports and Recommendations (Doc. Nos. 53, 57, 59), to which Objections have been filed. In his Objections, Plaintiff asserts that Defendants' Motions to Dismiss were not timely filed, that his pleadings were not assessed under the proper standard, and that he was limited in the number of grievances he was allowed to file.

Generally, a defendant who timely returns the waiver is not required to answer the complaint until sixty (60) days after the date that the marshal sent the request for waiver. FED. R. CIV. P. 4(d)(3). Defendants' Motions were filed within the appropriate time limits. (See Doc. Nos. 13, 15, 16, 17, 18, 20, 30, 38). Plaintiff's filings were all assessed under the appropriate standard of determination. Plaintiff's assertions that he was only allowed to file one grievance per week do not alter the fact that Plaintiff

suffered no harm or exacerbation of his condition as a result of alleged delays in medical treatment. Plaintiff fails to address the fact that his complaint, even liberally construed, fails to make the requisite allegations to support a deliberate indifference claim premised upon a delay of treatment.

Plaintiff's objections to the Magistrate Judge's Report and Recommendation are **OVERRULLED**. Plaintiff's claims against Defendants Upton, Paul, Dodson, Penn, Fleming, and Bozeman are **DISMISSED**.

SO ORDERED, this 28 day of April, 2011.


B. AVANT EDENFIELD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA